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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,273	10/23/2003	Pekka Lonka	297-008681-US (REI)	7703
2512	7590	03/29/2006	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			LE, DANH C	
			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 03/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/692,273

Applicant(s)

LONKA, PEKKA

Examiner

DANH C. LE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Reissue Applications

The reissue oath/declaration filed with this application is defective because the error which is relied upon to support the reissue application is not an error upon which a reissue can be based. See 37 CFR 1.175(a)(1) and MPEP § 1414.

The error relied upon could be corrected by Certificate of Correction. Also Applicant stated that the phrase "covering each other alternatively completely" in issued claim 1 render the patent partially inoperative; however, there is no amendment in claim 1 to correct such problem.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-4, 6-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Jacobsen (US 6,073,034).

As to claim 1, Jacobsen teaches a mobile communications device (figure 8A, 8B, 9A, 9B) with a camera (col.12, lines 38-46), comprising a microphone, a loudspeaker, a display, keypad proper, and a camera, and the mobile communications device comprises at least two parts covering each other alternatively completely in the transport position of the camera or partly in the operational position of the camera so that when the parts cover each other in the transport position of the camera the lens (238) of the camera is protected, and in the operational position of the camera the lens

(238) of the camera is exposed, characterized in that an image can be projected through the lens (238) of the camera and the display (224) serves as a viewfinder for the camera by displaying the through the lens projected image to the user of the device and the lens (238) of the camera is placed in the device essentially on a different side than the display (224).

As to claim 2, Jacobsen teaches the mobile communications device of claim 1, characterized in that the device also comprises function keys and the device can be used for telephone calls by means of the microphone, the loudspeaker, the display and the function keys even when the lens of the camera is covered (figure 8A-B, 9A-B).

As to claim 3, Jacobsen teaches the mobile communications device of claim 1, characterized in that the parts covering each other partly or completely move by sliding with respect to each other (figure 8A-B, 9A, 9B).

As to claim 4, Jacobsen teaches the mobile communications device of claim 1, characterized in that the part (2) including the keypad (9) proper of the mobile communications device has in it a shaped grip (12) to make it easier to hold the mobile communications device in hand when used for taking photographs (figure 8A-B, 9A-B).

As to claim 6, Jacobsen teaches the mobile communications device of claim 1, characterized in that the battery of the mobile communications device is located in that part of the mobile communications device which includes the keypad proper in order to place the center of gravity as low as possible to make photographing easier in vertical position (figure 8A-B, 9A-B).

As to claim 7, Jacobsen teaches the mobile communications device of claim 1, characterized in that pictures are being stored in the memory (21) of the mobile communications device and the pictures are used in the mobile communications device in a telephone directory (col.2, lines 26-52).

As to claim 8, Jacobsen teaches a mobile communication device with a camera, said communication device comprising a first part and a second part connected to each other, further comprising a protectable camera lens for the camera, said protectable camera lens located on one of said first part and said second part, and a display located essentially on a different side of one of said parts as the protectable camera lens (figure 8A-B, 9A-B).

As to claim 9, Jacobsen teaches a mobile communication device according to the claim 8, wherein said protectable camera lens and said display are on the same part of said first and said second parts (figure 8A-B, 9A-B).

As to claim 10, Jacobsen teaches a mobile communications device according to claim 8, wherein said first and said second parts are arranged into mutual connection so for forming a transport position and an operation position for the camera lens (figure 8A-B, 9A-B).

As to claim 11, Jacobsen teaches a mobile communications device according to claim 10, wherein said first part and said second part are adjacent to each other in one of said transport position and said operation position (figure 8A-B, 9A-B).

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As to claim 12, Jacobsen teaches a mobile communications device according to the claim 10, wherein the protectable camera lens is protected in the transport position (figure 8A-B, 9A-B).

As to claim 13, Jacobsen teaches a mobile communications device according to the claim 10, wherein the protectable camera lens is exposed in the operation position (figure 8A-B, 9A-B).

As to claim 14, Jacobsen teaches a mobile communications device according to claim 8, wherein said first and said second parts are arranged slidably connected to each other (figure 13J, 13K).

As to claim 15, Jacobsen teaches a mobile communications device according to the claim 8, wherein said display is arranged to operate as a viewfinder for the camera lens (figure 10A, 10B).

As to claim 16, Jacobsen teaches a mobile communications device with a camera (figure 8A-B, 9A-B), said device comprising:

- a first part comprising a first face of the first part and a second face of the first part, said faces being on opposite sides of said first part,

- a second part comprising a first face of the second part and a second face of the second part, said faces being on opposite sides of said second part,

- a display located on said first face of the first part,

- a protectable camera lens for a camera, located on said second face of the first part, and

a plurality of keys in keypad located on said first face of the second part, wherein said first and second parts are connected to each other.

As to claim 17, Jacobsen teaches a mobile communications device according to claim 16, wherein said first and said second parts are arranged slidably connected to each other (figure 10A, 10B).

As to claim 18, Jacobsen teaches a mobile communications device according to claim 16, wherein the second face of the first part and the first face of the said second part are adjacent to each other (figure 8A-B, 9A-B).

As to claim 19, Jacobsen teaches a mobile communications device according to claim 16, wherein said first part has essentially a geometric shape of a rectangular prism (figure 8A-B, 9A-B).

As to claim 20, Jacobsen teaches a mobile communications device according to claim 16, wherein said second part has essentially a geometric shape of a rectangular prism (figure 8A-B, 9A-B).

As to claim 21, Jacobsen teaches a mobile communications device according to claim 16 having a transport position and an operational position (figure 8A-B, 9A-B).

As to claim 22, Jacobsen teaches a mobile communications device according to claim 21, wherein:

in the transport position, the second face of said first part covers said keypad and the first face of the second part covers said camera lens, and in the operational position, said camera lens and said keypad are exposed (figure 8A-B, 9A-B).

As to claim 23, Jacobsen teaches a mobile communications device according to claim 16, wherein said display is arranged to serve as a viewfinder for the camera for displaying to a user of said communications device an image projected through the camera lens (figure 10A, 10B).

As to claim 24, Jacobsen teaches a mobile communications device with a camera (figure 8A-B, 9A-B), said device comprising:

- a first part comprising a first face and a second face, said faces being on opposite sides of said first part,

- a second part comprising a first face and a second face, said faces being on opposite sides of said second part,

- a display located on said first face of said first part,

- a camera lens located on said second face of said first part, and

- a plurality of keys located on said first face of said second part,

wherein said first and second parts are slidably coupled to each other with said second face of said first part and said first face of said second part adjacent to each other.

As to claim 25, Jacobsen teaches a mobile communications device according to claim 24, wherein said first part and said second part essentially have the geometric shape of a rectangular prism.

As to claim 26, Jacobsen teaches a mobile communications device according to claim 24, wherein:

said second face of said first part covers said keypad and said first face of said second part covers said camera in a transport position, and

said camera and said keys are exposed in an operational position (figure 8A-B, 9A-B).

As to claim 27, Jacobsen teaches a mobile communications device according to claim 24, wherein an image can be projected through said camera lens and said display serves as a viewfinder for the camera by displaying a through the lens projected image to a user of the device (figure 8A-B, 9A-B).

As to claim 28, Jacobsen teaches a mobile communications device according to claim 24, wherein the camera lens is protectable by the second part (figure 8A-B, 9A-B).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobsen in view of Kim (6,278,884).

As to claim 5, Jacobsen teaches a mobile communications device of claim 1, characterized in that a image is generated and transmitted to the remote locations in accordance with the operating mode of the mobile communications device. Jacobsen fails to teach a photograph is taken by pressing a button function. Kim teaches a photograph is taken by pressing a button function (col.3, lines 52-63). Therefore, it

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would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Kim into the system of Jacobsen in order to send the images to the remote central office as Kim suggested.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- A. Umezawa et al (US 5,491,507) teaches video telephone equipment.
- B. Tanaka et al (US 6,392,697) teaches digital still camera.
- C. Lee et al (US 6,137,525) teaches personal data communication apparatus.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C. LE whose telephone number is 571-272-7868. The examiner can normally be reached on 8:00AM-5:00PM.

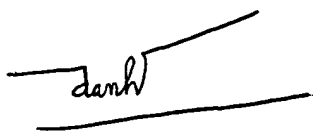
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read "danh", is written over a horizontal line. A second line extends from the end of the signature.

March 21, 2006
DANH CONG LE

PRIMARY EXAMINER